

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

)
)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
)

THIS DOCUMENT RELATES TO
01-CV-12257-PBS AND 01-CV-339

) Hon. Patti B. Saris
)
) Chief Mag. Judge Marianne B. Bowler
)

DECLARATION OF ADEEL A. MANGI

I, Adeel A. Mangi, declare as follows:

1. I am associated with Patterson Belknap Webb & Tyler LLP and represent Johnson & Johnson, Centocor Inc., and Ortho Biotech Products L.P. in this litigation. I offer this declaration in opposition to third party Oxford Health Plans' ("Oxford") motion to extend by two weeks its time to file opposition to defendants' motion to compel Oxford to produce documents and witnesses for deposition pursuant to the subpoena served upon Oxford on April 19, 2004, and for recovery of attorney fees and costs.

2. On February 2, 2006 this Court issued an order compelling Oxford's parent United Health Care to produce documents and witnesses for deposition. A copy of that transcript was attached as Exhibit 15 to my original declaration in support of Defendants' Motion To Compel Third Party Oxford Health Plans To Produce Documents And Witnesses For Deposition Pursuant To Subpoena And For Recovery Of Attorney Fees And Costs.

3. Attached as Exhibit 1 is a copy of my email exchange with counsel for Oxford dated March 29, 2006.

4. Until now, counsel for Oxford took the position that Oxford was separately

represented and would be responding to its own subpoena independently. Oxford has now transferred its representation to counsel who have already had extensive involvement with this case through their representation of Oxford's parent United Health Care. Upon being contacted by counsel seeking a second extension I offered them a short second extension to enable them to speak with their client and respond to the motion, but counsel for Oxford insisted on a full two weeks.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Adeel Mangi

Adeel A. Mangi

Executed on this 5th day of April 2006

Exhibit 1

Mangi, Adeel A. (x2563)

From: Mark Sandmann [MMS@rawlingsandassociates.com]
Sent: Wednesday, March 29, 2006 2:15 PM
To: Mangi, Adeel A. (x2563)
Subject: RE: Oxford

Thanks and take care.

Mark M. Sandmann
502.814.2157

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>>> "Mangi, Adeel A. (x2563)" <AAMANGI@PBWT.COM> 03/29/06 02:12PM >>>
Mark: Per your request, this memorializes that defendants have agreed to grant Oxford a four day extension on its time to respond to defendants' motion to compel until Tuesday, April 4, 2006. Defendants and Oxford have agreed oppositions papers are due and must be filed on or before that date. I am not including our email chain to preserve its confidentiality at your request. Please let me know if you have any questions.

Regards
Adeel

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